

KITSAP COUNTY ANNUAL LEAVE DONATION PLAN

PURPOSE

The purpose of the County's Annual Leave Donation Plan is to permit County employees to donate annual or general leave to eligible employees who would otherwise be in an unpaid status in excess of five (5) consecutive working days due to a catastrophic medical condition, illness, injury or impairment. This plan will only be available through December 31, 2019, at which time employees will have access to Washington State Paid Family and Medical Leave.

ANNUAL LEAVE DONATION PLAN

A. Overview of Plan

1. Donations are for specific designated persons and shall not be for a general pool.
2. All donations will be credited on an "as-needed" basis each pay period and only after the eligible employee has exhausted all paid leave.
3. All donations are non-refundable once the leave has been credited to the receiving employee's leave account.
4. Donated annual leave hours are excluded from the annual leave payoff provisions contained in the Kitsap County Personnel Manual and relevant provisions of collective bargaining agreements.
5. For the purposes of this Plan, annual leave shall include general leave.
6. Annual leave donations are strictly voluntary. Employees are prohibited from offering and receiving monetary and any other forms of compensation in exchange for donating annual leave hours.
7. A donating employee donates annual leave at his/her hourly rate of compensation, and the receiving employee is credited with annual leave at his/her hourly rate of compensation.
8. Annual leave transferred under this section may be transferred from employees of one office, department, or fund, to an employee of the same or a different office, department or fund, with the approval of the affected elected official and/or department head(s). Annual leave will first be transferred from co-workers within the requesting employee's department or office, and then, with approval, transferred from other departments/offices.
9. Annual leave transferred to and used by a receiving employee is compensation earnable for the receiving employee to the extent authorized by Chapter 41.40 RCW.
10. Nothing set forth in the plan shall constitute a promise or guarantee, and any policy outlined herein shall be subject to any subsequent decision by the Board of County Commissioners.
11. Any use of Donated Leave will be counted towards an employee's Family and Medical Leave Act (FMLA) entitlement, if applicable.

12. As with all leave abuse, misuse and falsification of facts, any abuse, misuse or falsification of facts regarding Donated Leave may be grounds for disciplinary action, up to and including termination.

B. Definitions

1. Catastrophic physical or mental condition means a physician-certified life-threatening illness, injury, or impairment (physical or mental) which requires continuing treatment and/or supervision by a health care provider and which will require the employee to

go on leave of absence without pay in excess of five (5) consecutive working days

2. Immediate family for these purposes means the employee's spouse/Registered Domestic Partner, child (including foster child and stepchild), and/or parent.

C. Eligibility Requirement to Receive Donated Leave

To be eligible for receipt of donated leave, the following requirements must be satisfied:

1. (a) The employee must suffer from or has an immediate family member who suffers from a catastrophic medical condition as defined above.
2. The employee has successfully completed six months of employment with the County. The Employing Official may approve a request for donated leave from an employee with less than six months of service on a case-by-case basis, provided all other criteria of the policy are met. In these circumstances, the employee is deemed eligible to use his/her own annual leave for qualifying purposes, prior to accepting and using donated annual leave.
3. The employee has depleted his/her total of accrued annual, sick, compensatory time, holiday and/or other paid leave and is not able to return to work.
4. The employee is not eligible for workers' compensation benefits under Chapter 51.32 RCW.
5. The employee has a catastrophic condition that will require continuous treatment and/or supervision in excess of five (5) consecutive working days.

D. Eligibility Requirements to Donate Annual Leave

1. The donating employee must be a regular employee.
2. The donor must retain forty (40) hours of annual leave on the books after the time of donation.

E. Procedures

1. Upon exhaustion of all other available accrued benefits, the employee (or the employee's guardian or legal representative in the event the employee is incapacitated or otherwise physically incapable of making the request for the leave) will submit a completed "Request for Donated Annual Leave Form" to Human Resources.

Appendix B

2. Human Resources will verify that the employee meets the eligibility requirements for accepting donated leave. After completing the verification process, Human Resources will forward the request to the employee's Employing Official.
3. Upon receipt of the Request Form, the Employing Official will approve or deny the employee's request to receive donated leave. The Employing Official will have the discretion to approve or deny the donation of annual leave; provided, however, the employee must meet the eligibility requirements. The Employing Official may approve the employee's receipt of donated leave within the employee's own fund, department and/or Countywide. The Employing Official's decision to approve, deny and/or limit the source of leave shall not be grievable.
4. Once an employee's request to receive donated annual leave is approved, a designee of the employing department will post the completed "Request for Annual Leave Donation" Form.
5. Employees desiring to donate annual leave must submit a completed "Request to Donate Annual Leave" Form to their department head or elected official.
6. Employees must donate annual leave in one (1) hour increments.
7. The final completed form, signifying a request was approved or denied will be sent to Human Resources for retention.
8. The Director of Human Resources or designee will devise and make available to employees the forms detailed in this Plan.